App F IX 1

Previous References 1946 47 (ml) **File No** 5546 **Serial Nos** 47

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos pre

Part B for February 47

SUBJECT

Cancellation of the sale of the three sites in the Jogimatti Extension - Bhittal Drug Town

~~350 √ 351 √ 352 √ 25~~
L L

~~Letter~~ Petn of ml from Mr Kotla Govinda Reddy son of Kotla Doddalingappa, Hayakal, Chitaedrug Tk, Complaining that the rates purchased by him in the Jogimatti Extension, Chitaedrug long back have not been confirmed as yet though the full amount has been paid already

Minutes of the Minister for Agn on the Petn
" Please acknowledge (2) Ask D C for an urgent report"

(Sd) [illegible]
7-7-46

2 Two drafts sent for appl
3 Issue of min
'To The Dy Commr Chitaedrug
No L 747 dt 15-7-46
Calls for a report before the 25th of this month

To Mr Kotla Govinda Reddy Chitaedrug
No L 748 dt 15-7-46
Informs him that his Petn is receiving attention

Petn dt 26-11-46 from Mr Kotla Govindappa, Hayakal Chitaedrug Tk stating that the rates purchased by him in April 1944 have not been confirmed in his favour and requesting that the amount of Rs 440/- paid by him may be refunded,

(4) Minutes of the Minister for Revenue & Communications on the Petn -
" Any references, if none, please ask the Dy Commr

TYPING SECTION
13 JULY 1946
GEN & REV SECTT

352 √ 4383
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to send a report early."

(Sd) J A G
3/12/46

5

On a petn received from Mr Kotla Govinda Reddy in regard to the purchase of stores by him from the Chirtalding town mkt yrd, a report was called for from the Dy Commr, Chirtalding Dt in this office letter No L 7478 dt 15-7-46. The report has not yet been received

6 Subd with a draft letter for appl

WB
9/12

7 Immediate

1/12/46

To The Dy Commr Chirtalding Dt
No L 8570 dt 10-12-46

8 Requests time to forward the report called for

Subd
The report called for has not been received

WB
16/12

9) Inspection — not necessary. Supra
Revised for
16/12/46

Minister for agr
J A G

(10) 18/12

4520

11) The report has been rec'd
now body - Alpha strength

19/12/46

43830 4922
2

Letter No A6 C 80-36/46-47 dt 14-12-46 from the Dy Commr Chitaldrug dt, forwarding a report on the matter

12) The report received from the Dy Commr, Chitaldrug dt is submitted for perusal

13) It is reported by the Dy Commr that, while preparing the plan for laying out the extension at Jogimath in the Chitaldrug town, an area of 135 ft by 80 ft was reserved for the formation of a Park On the representation of the one Mr Md Ghouse, the Managing Committee at their meeting held on 22-3-38 resolved to grant the above area to him in lieu of his Valuable land acquired for the Construction of mutton stalls The mcl cl on 30-3-38 (~~not found on the records~~) resolved to obtain the opinion of the Sanry Engineer about the Disposal of the area ~~reserved~~ reserved for a park

with the E

with the portion marked A in the plan V

14) While things stood thus, the mcl cl again on 6 4 44 resolved to divide the area into building sites and put them up for sale

15) In the auction sale, Mr Kotla Gowrida Reddy purchased the 3 sites each measuring 80 ft by 45 ft for Rs 4460. on 25/4/44 paid the money in full on 28/4/44 The mcl cl resolved to confirm the sale on 30/9/44

Plan J

16) The Dy Commr further states that the mcl cl had no authority either to put up the sites for sale or to grant to Mr Md Ghouse without the previous sanction of Govt when the area was actually reserved for the formation of a Park

17) He therefore requests that the sale may be

4383 √ 4922

cancelled & the amount refunded to the Party.

(15) Mr Kotla Govinda Reddy in his last Petn "W" dt 26-11-46 has requested that the said sale may be cancelled & the amount refunded to him with interest at 12 per cent from the date of the sale of the sites

1 Submitted for orders with reference to paras 1 & 4 supra

25/12

2. The records disclose that the three lits in question were sold on 25/4/44 and the chalaiah journal also confirmed the sale on 30 9 44, as the mr Kotla Govinda Reddy had paid a heavy sum of Rs 4467- in full on 26/4/44

3. The records seem to have been sent to the D-C on 11 10 44 and finally remained in that office up till now. Some further reports seem to have been called for on the subject from the Revenue, chalaiah journal which has furnished the same - in deciding

4. Under sec 38(2) of the Hyderabad Tenancy Act, some of what is necessary to the sale of the said sites, as the price of each of them fetched on auction - is more than Rs 1000

5. After a delay of over two years, & on the representation of the sale purchaser about the unduly delay in giving him in possession of the sites, the D-C has recommended that the sale may be cancelled & the money refunded to the

party. The ground on which the sale is recommended for cancellation is that it is subject by the Gulmarg which the area is not listed.

It is stated that the Council had no authority to publish the land for sale when it had been reserved for a park. But when the layout of the extension had been first approved by the Govt, & when the Council found that ~~there was~~ a park could not be raised at the place selected for it owing to gravelly soil & scanty water facilities, it resolved to form the same into lots. There is no prohibition for this action on the part of the Council. Neither is there any standing order to the effect that previous sanction of Govt is necessary for disposing of the site reserved for a park. It is difficult to accept the reasoning of the DC & Council to sale on the ground advised by him.

No doubt the Council resolved on 28th to give preference to land holders in respect of price of Rs 25/- to one Mr Mahmud Shah in lieu of the land acquired from him by the Council for the construction of a Fruiterer stall. No action seems

43835 4922

to have been taken from pursuance of my resolution evening to 25/4/44 — to stay the sale of the sets to Mr Kotla Jowindappa on behalf of the said Shahmal Jhawar (deceased), one Abdul Sattar seems to have petitioned on 26/8/44 that he should be given the land as originally resolved by the MLC. The MLC considered his appeal and resolved to the effect that the matter be given a rest after ascertaining who his legal heirs are —

"P"

"Q"

Now Mr Kotla Jowindappa has reported in his latest petition dated 26/11/46 that he is not in need of the land sets, that the sale may be cancelled and to many refund to him with interest at 12% p.a. from the date of sale of the sets.

The request of the petitioner is for orders

Prepare a supn. new agy. 29/12/46

How is Govt concerned with the request of the petitioner? It is for the MLC to decide the question of payment of interest is also for them to decide

If what are the grounds on which the sale should be cancelled by Govt & what is the enabling permission?

Sd
[illegible]

4922
L

29 There is no provision in the Mysore Town Meters Act 1933 to cancel the sale. The sale is subject to the conditions ~~that~~ laid down in the sale notification

1/2

repeat paras 29 & 28 supra

new reply for 3/2/47

The papers may be returned for the DC for disposal according to rules. Govt cannot perhaps interfere with the market

Minister for Revenue & Commns)

4/2/47

CF MINISTER
FOR REVENUE
No. 6269
Date 4.2.47

Yes. The delay in disposal of the case by the Municipal Council is very unsatisfactory. The D.C. has taken five months to submit a report, which is not creditable to him or to his office. If the fraud has to be found compensation or interest, whoever is held responsible for this dilatory and unsatisfactory handling of the matter will have to be asked to make good the amount

4/2/47

Submit with a draft letter for appl

5/2

1/2

Issue for 11/2/47

5/2/47

4992 mil 55-46

sl 47 To the Director and Chief Clerk Dr
MC L 11569 Dy 22/2/47

Returns the records for disposal according to the rules

22/2

By Regd Post Ack

352

OFFICE OF THE MINISTER FOR AGRICULTURE
JUL 6
T No 16

COURT FEE
TWO RUPEES

To

The Minister for Agriculture,
Government of Mysore,
BANGALORE

Dear Sir,

Re Confirmation of the sale of sites Nos 1, 2 and 3 in the V Block in Jogimatti Extension in Chitaldroog Town

Petitioner Kotla Govinda Reddy, s/o Kotla Doddalingappa, Hayakal, Chitaldroog Taluk

---

On 25-4-1944, some sites in V Block in Jogimatti Extension in Chitaldroog Town were sold by public auction The Petitioner bought three sites numbering 1, 2 and 3 paying the amount noted against each as under

Site No 1	-	80' x 45'	-	Rs 1505- 0- 0
Site No 2	-	80' x 45'	-	Rs 1380- 0- 0
Site No 3	-	80' x 45'	-	Rs 1575- 0- 0
		Total		Rs 4460- 0- 0

The total amount of rupees fourthousand-fourhundred-and-sixty only was paid and receipt obtained from the Municipal Council, Chitaldroog Town, the receipt No being 39 book No 6455, dated 25-4-1944

The petitioner has made repeated requests to the Municipality to kindly confirm the sale of the above mentioned sites, and his requests have been of no avail On 27-12-1945 a Registered Notice was issued to the Municipalit to expedite the matter

The petitioner has been put to great loss

The petitioner prays that the sale of the above sites may be confirmed without any further delay and that the Chitaldroog Town Municipality may be directed to make good the loss that the petitioner has incurred

PETITIONER

Camp: Chitaldroog
Dated

Copies submitted to (1) The Deputy Commissioner, Chitaldroog District, Chitaldroog

(2) The President, Town Municipal Council, Chitaldroog

L.947 & 15-7-46 (Draft)

To The Tahsildar, Chittaldrug Tk

Sir,

I am directed to forward herewith a petition (in original) received from Sri Kotha Govinda Setty, son of Kotha Eddalinga Shetty, Hanakal, Chittaldrug Tk, complaining that the sites purchased by him in the Jogimatti, Extension, Chittaldrug on 25-4-1944 in the public auction have not been conferred on him in his favour as yet, though the full value of the sites has been paid etc, and to request you to forward a report in the matter before the 25th instant.

The Petition may be kindly returned with the report.

Yours etc

[illegible]

[illegible]

Draft II L 748 d 15 7 46

Endorsement Standard

To, ~~[illegible]~~
The Kotla Government Pleader,
Son of the Kotla Sardalang Appa,
Hazarchal, Chandigarh Tank

With reference to his petition dated and addressed to the Ministry of Foreign Affairs, Gentlemen, that the Sates Government are unable to permit the extension, Chandigarh, the ~~[illegible]~~ petition dated 20-4-44 cannot be considered but through the trade zone of the Sates has no ~~[illegible]~~ in particular, the Kotla Province is informed that his petition is accordingly dismissed

Yours

[illegible]

[illegible]
[illegible]

[illegible]

Appendix F G —1]

SUBJECT

Section

File No

Serial No

Diary No of letter replied to

No L 8570

General and Revenue Secretariat

( )

the 194

To

The Dy Commr, Chitaldrug Dt

Sir,

In continuation of this office letter no L747 dt 15 7-46 calling for a report on the petn received from Mr Kotla Govinda Reddy, Hayakal, Chitaldrug Tk, complaining that the sites purchased by him in the Jogimatti Extension, Chitaldrug town long back have not been confirmed in his favour, though the full amount has already been paid, I am directed to forward herewith another petn since received from the same petitioner and to request that the report called for therein may be kindly sent by return.

Date of issue 10/12/46

Signed by Mr GRR

List of enclosures

Copied by

Examined by

of Post

The Petitions sent in original may also be kindly returned with the report. The matter might be kind of treating very confidential

I have etc

[illegible] 10/1/[illegible]

For Secy to Comm.

[illegible] Receipt

9/12

Ml 55-46-47

(By Reg Post)

Office of the D[illegible]
Chitaldrug District
Chitaldrug, dated, 11th [illegible]

SECRETARIAT
4922
20 DEC 1946
S C BRANCH

To

J B [illegible]allamadhya Esq., A.,
Secretary to Government, Revenue Department, Bangalore

Sir,

With reference to your letter [illegible] L 747 dated 10-[illegible]-1946 forwarding the application of [illegible]rotla Govindaraj complaining that the sites in the Torimatti extension, Chitaldrug town, purchased by him on [illegible]-[illegible]-1[illegible] have not been confirmed, I have the honour to forward herewith the entire file of [illegible] received with letter [illegible]/[illegible]-47 dated [illegible]-11-46 of the President of Chitaldrug town municipality and to state as follows,

[illegible] from the [illegible] of the [illegible] of Torimatti [illegible] by the [illegible] Engineer, [illegible] of Sanitary Engineer [illegible], [illegible] of [illegible] reserved [illegible] for [illegible] of the [illegible] Municipal Committee, at its [illegible] 22-[illegible]-1939, decided [illegible] reserved land to the [illegible] [illegible] for the construction of [illegible] Committee [illegible] 1[illegible]-[illegible]-1[illegible] to obtain the [illegible] of the Sanitary Engineer for the disposal of this site [illegible] reserved for [illegible] the approved layout of the extension [illegible] the [illegible] of this section, the council resolved at its meeting on [illegible] to convert the reserved land into 2 sites and dispose of [illegible] by auction. Accordingly the sites were put up for sale and [illegible] were secured as [illegible] in the margin

Name of highest bidder	[illegible]	[illegible] assessment	Amount of highest bid
Krishtappa [illegible]	[illegible]	[illegible]	1[illegible]/
-do-	2	-do-	1480/
-do-		-do-	1075/
		Total,,	[illegible]/

[illegible] that the sites have fetched [illegible] price [illegible] sales [illegible] by irregularities [illegible]

The council [illegible] the [illegible] the [illegible]

ale had it had been reserved for laying out a park. If the municipality is keen on this site as well, previous sanction of Govt should have been obtained or has the council respected its own previous resolution to grant the land to Ghous in lieu of his valuable sites which are acquired for the Sutton street. In any case whether to grant the land to Ghous or to put it up for sale, the previous sanction of Govt had to be obtained as it was a site reserved for a park. I am of opinion that the sale of these three sites may be cancelled and the bid amount ordered to be refunded to the respective purchasers.

If the municipality is keen on disposing of this land, necessary sanction of Govt may be obtained.

The approved plan of the Tegh Bahadur Extension prepared by the Sanitary Engineer on 13-2-1920 is also enclosed for kind reference.

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Chitaldrug District

Mr KKS
please up the file since
[illegible]

No A6 C 80/46-47

Office of the Deputy Commissioner,
Chitaldrug District,
Chitaldrug, dated, 20th Feb 1947

To

The Secretary to the Government of Mysore,
Revenue Department, B a n g a l o r e

Subject, Cancellation of the sale of the three sites in the Jogimatti extension, Chitaldrug Town

Sir,

In inviting kind reference to this office letter of even number dated 14-12-1946 on the above subject, I have the honour to request that early orders of Government may kindly be obtained and communicated as the matter is pending from a very long time

I have the honour to be,
Sir,
Your most obedient Servant,

Deputy Commissioner,
Chitaldrug District

C M F 2/

Appendix F G -1]

SUBJEC

Diary No of letter replied to

General and Revenue Secretariat

the 194

Date of issue 22/2/47

Signed by

of enclosures

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Section

File No 55-46

Serial No 47

No L 11569/R

To

The Dy Commr, Chitaldrug Dt

Sir,

With reference to the correspondence ending with your letter no 46 C 80 36/46-47 Dt 14-12-46 forwarding a report re the sale of sites in the Jogimatti extension, Chitaldrug town in favour of Mr Kotla Govindappa, I am directed to return herewith the records received from you on the above subject for disposal according to the rules. The delay in the disposal of the case by the mal el is very unsatisfactory. There has been a delay of five months. ~~The period of five months taken to submit a report in this behalf is not creditable.~~ ~~The report sent to you~~ ~~in the submission of the report for you this~~ ~~a report~~ ~~letter to you or to your office~~ ~~of the~~

3 In this connection I am to state that if the party has to be paid compensation or interest later on, whoever is held responsible for this dilatory & unbusinesslike handling of the matter will have to be asked to make good the amount.

I have etc

[illegible] 11/2/47

for secy to Govt

Rly Deptt

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L 11569/MCSS-46-47 Dated Bangalore 12 February 1947

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore

Revenue Department

To

The Deputy Commissioner,
Chitaldrug District

Sir

With reference to the correspondence ending with your letter No AG C 80-36/46-47 dated 14th December 1946, forwarding a report regarding the sale of sites in the Jogimatti extension, Chitaldrug Town in favour of Mr Kotla Govindappa, I am directed to return herewith the records received from you on the above subject for disposal according to the Rules The delay in the disposal of the case by the Municipal Council is very unsatisfactory There has been a delay of five months in the submission of the report from your office in this behalf to Government This is not creditable

In this connection, I am to state that if the party has to be paid compensation or interest later on, whoever is held responsible for this dilatory and unbusinesslike handling of the matter will have to be asked to make good the amount

I have the honour to be
Sir,
your most obedient servant,

for SECRETARY TO GOVERNMENT
REVENUE DEPARTMENT